



DLA Piper LLP (US)
200 South Biscayne Boulevard
Suite 2500
Miami, Florida 33131-5341
www.dlapiper.com

Christopher G. Oprison
chris.oprison@dlapiper.com
T 305.423.8522
F 305.657.6366

January 6, 2023

VIA ECF

The Hon. Ona T. Wang
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Potter v. Beacon Intercontinental Group, Inc., et al.*, No. 1:20-cv-4599 (JGK) (OTW)

Dear Judge Wang:

Defendants/Counterclaim Plaintiffs BIH, Inc. and Beacon Intercontinental Group, Inc. (collectively, “Defendants”), and Plaintiff/Counterclaim Defendant Adam Potter (“Potter”), write in compliance with Your Honor’s February 17, 2022, Text Order (ECF No. 106), and December 14, 2022 order (ECF No. 125), to submit this Joint Status Report in the above-captioned matter.

Status of Discovery

- At the December 13, 2022 pre-motion conference hearing, the court permitted Potter to file a motion to compel Defendants to produce certain communications and documents related to Beacon’s lender documents, and to reduce the confidentiality designations of certain documents and related deposition testimony. The parties submitted a joint briefing schedule to the Court, which Your Honor endorsed. (ECF Nos. 127 and 128). That schedule has briefing completed by January 27, 2023.
- At the December 13, 2022 hearing, the Court also granted Defendants leave to file third amended answer, affirmative defenses, counterclaims, which Defendants filed with exhibits on December 16, 2022. (ECF No. 126).
- The parties have planned a meet and confer during the week of January 9, 2023 regarding questions about Plaintiff’s anticipated 30(b)(6) depositions of Defendants’ corporate representatives.



The Hon. Ona T. Wang
January 6, 2023
Page Two

Respectfully submitted,

Fox Rothschild LLP

By: /s/ John A. Wait
John A. Wait, Esq.
101 Park Avenue, 17th Floor
New York, NY 10178
(212) 878-7900
jwait@foxrothschild.com

*Counsel for Plaintiff/Counterclaim
Defendant Adam Potter*

DLA Piper LLP (US)

By: /s/ Christopher G. Oprison
Christopher G. Oprison, Esq. (*Pro Hac Vice*)
200 South Biscayne Boulevard, Suite 2500
Miami, FL 33131
(305) 423-8522
chris.oprison@dlapiper.com

*Counsel for Defendants/Counterclaim
Plaintiffs BIH, Inc. and Beacon
Intercontinental Group, Inc.*

cc: All counsel of record (via ECF)